

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

CLARENCE HALEY,

Plaintiff,

v.

THE KINTOCK GROUP, *et al.*,

Defendants.

Civ. No. 2:11-cv-05606 (WJM)

**MEMORANDUM
OPINION & ORDER**

THIS MATTER comes before the Court on *pro se* Plaintiff Clarence Haley's motion for default judgment against The Kintock Group, Dominic Forte, Sadiqi Muhammad, Mr. Joseph (first name unknown), and Reynold Brown (collectively, "Defendants"). Plaintiff commenced this action on September 28, 2011. ECF No. 1. The Complaint was served on all Defendants on December 8, 2011. ECF No. 6. The time for Defendants to answer or otherwise respond to the Complaint expired on December 29, 2011. *Id.* Defendants failed to respond to the Complaint by that date. Pursuant to Federal Rule of Civil Procedure 55(a), the Clerk entered a Default against Defendants on February 2, 2012. ECF No. 8. Plaintiff filed the instant motion for default judgment on February 23, 2012. ECF No. 9. Defendants filed a motion to vacate default the next day. ECF No. 10. On March 6, 2012, the Hon. Mark Falk, U.S.M.J., entered an Order granting Defendants' motion, and the Clerk's entry of default was vacated. ECF No. 15. Defendants filed an Answer to the Complaint on March 9, 2012. ECF No. 16. As the Clerk's entry of default was vacated and Defendants have now filed an Answer to

the Complaint, there is no longer any basis for entry of a default judgment.

For the foregoing reasons and for good cause shown;

IT IS on this 29th day of May 2012, hereby,

ORDERED that Plaintiff's motion for default judgment is **DENIED**.

/s/ William J. Martini

WILLIAM J. MARTINI, U.S.D.J.